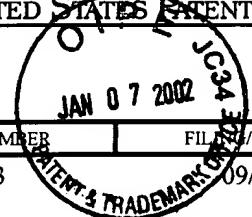




UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/964,303	09/26/2001	James E. Lindemuth	H1799-00075

CONFIRMATION NO. 9930

FORMALITIES LETTER



OC00000006963869

DUANE, MORRIS & HECKSCHER LLP
One Liberty Place
Philadelphia, PA 19103-7396

Date Mailed: 10/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

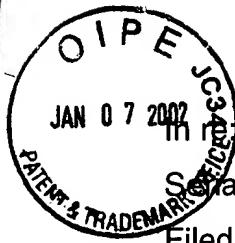
H.T

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/11/2002 NMOHAMM1 00000100 09964303

01 FC:105

130.00 0P



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James E. Lindemuth et al.

Serial No.: 09/964,303 Examiner: Not yet known

Filed: 09/26/2001

Group Art Unit: Not Yet Known

CERTIFICATE UNDER 37 CFR 1.8(a)
I, SAMUEL W. APICELLI, REGISTRATION NO. 36,427, HEREBY CERTIFY
THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE
UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN
ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR
PATENTS, WASHINGTON, D.C. 20231.

ON December 10, 2001
Samuel W. Apicelli

For: HEAT PIPE SYSTEM FOR COOLING FLYWHEEL
ENERGY STORAGE SYSTEMS

SAMUEL W. APICELLI

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Initial Patent Examination Division
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the "NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION," mailed on October 24, 2001, in connection with the above-identified patent application, Applicants respectfully submit the following:

1. a Combined Declaration and Power of Attorney signed by the inventors, James E. Lindemuth, Brian E. Mast, Nelson J. Gernert and James L. Smith, Jr.;
2. a duplicate copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, as requested in the Notice;
3. a Request to Correct Inventorship under 37 CFR 1.48(a);
4. a Combined Declaration and Power of Attorney signed by John J. Todd, Jr.;
5. a Verified Statement under 37 CFR 1.48(a)(2); and

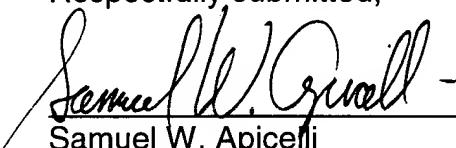
Docket No.: H1799-00075

6. one (1) check in the amount of \$260.00 to cover the surcharge for the late filing of the Declaration, this charge having been calculated on the basis of Large Entity Status(\$130) and for the processing fee (\$130) set forth in § 1.17(i) for the Request to Correct Inventorship.

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account 04-1679. A duplicate copy of this RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION is enclosed for the convenience of the Patent and Trademark Office.

Date: 12/10/01

Respectfully submitted,



Samuel W. Apicelli
Registration No. 36,427
Customer No. 08933
DUANE, MORRIS & HECKSCHER LLP
305 North Front Street, P.O. Bx 1003
Harrisburg, PA 17108-1003
(717) 237-5516



#3

SEARCH

#

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James E. Lindemuth et al.

Serial No.: 09/964,303 Examiner: Not yet known

Filed: 09/26/2001 Group Art Unit: Not Yet Known

For: HEAT PIPE SYSTEM FOR COOLING FLYWHEEL
ENERGY STORAGE SYSTEMS

CERTIFICATE UNDER 37 CFR 1.8(a)
I, SAMUEL W. APICELLI, REGISTRATION NO. 36,427, HEREBY CERTIFY
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UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN
ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR
PATENTS, WASHINGTON, D.C. 20231

ON December 10, 2001Samuel W. Apicelli

SAMUEL W. APICELLI

TRANSMITTAL LETTER

Initial Patent Examination Division
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please find enclosed for filing:

Response to Notice to File Missing Parts of Nonprovisional Application (2)
 Copy of the Notice
 Combined Declaration and Power of Attorney signed by Lindemuth, Mast, Gernert, and Smith
 Request to Correct Inventorship
 Combined Declaration and Power of Attorney signed by Todd, Jr.
 Verified Statement under 37 CFR 1.48(a)(2)
 Check # 6134 in the amount of \$260.00.
 In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account 04-1679. This Transmittal Letter is submitted in duplicate.
 Return postcard

Respectfully submitted,

Samuel W. Apicelli

Registration No. 36,427

Customer No. 08933

DUANE, MORRIS & HECKSCHER LLP
305 North Front Street, P.O. Box 1003
Harrisburg, PA 17108-1003
(717) 237-5516

Date: 12/10/01

HBG187940.1

Docket No.: H1799-00075



#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Lindemuth et al.

Serial No: 09/964,303 Examiner: Not yet known

Filed: 09/26/2001 Group Art Unit: Not yet known

For: **HEAT PIPE SYSTEM FOR COOLING FLYWHEEL
ENERGY STORAGE SYSTEMS**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48(a)

Please amend the Application as follows:

IN THE APPLICATION

Please add the name of **John J. Todd, Jr.**, to the application as a joint inventor.

01/11/2002 NMOHAMM1 00000100 09964303

02 FC:122

130.00 OP

REMARKS

This REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48(a)

has been made necessary as a result of Applicants' determination that, through an innocent error made without deceptive intent, the above-identified inventor's name had not been included in the above-identified new patent application at the time of filing of the case.

More particularly, the above-identified new patent application was filed on September 26, 2001, identifying James E. Lindemuth, Brian E. Mast, Nelson J. Gernert and James L. Smith Jr., as the only inventors. After the patent application was filed, the originally named inventors again individually reviewed the contents of the Docket No.: H1799-00075

CERTIFICATE UNDER 37 CFR 1.8(a)
I, SAMUEL W. APICELLI, REGISTRATION NO. 36,427, HEREBY CERTIFY
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PATENTS, WASHINGTON, D.C. 20231.

ON December 10, 2001
Samuel W. Apicelli

SAMUEL W. APICELLI

specification, claims and unsigned declaration of the application. During this review, they determined that the scope of the specification and claims included subject matter which was co-invented in conjunction with their colleague and co-worker, John J. Todd, Jr.

It is, therefore, respectfully requested that the name of John J. Todd, Jr., be added to the application as a joint inventor.

In accordance with 37 CFR 1.48(a), attached herewith are (i) a VERIFIED STATEMENT UNDER 37 CFR 1.48(a) from John J. Todd, Jr., to the effect that the error in inventorship occurred without deceptive intention on his part; (ii) a signed declaration by the actual inventors, as required by 37 CFR 1.63; and (iii) the fee set forth in 37 CFR 1.17(i).

In the event that any additional fees may be required to be paid in connection with this matter, please charge the same, or credit any overpayment, to Deposit Account No. 04-1679.

Respectfully submitted,

Dated: 12/10/01



Samuel W. Apicelli
Registration No. 36,427
Customer No. 08933
DUANE, MORRIS & HECKSCHER LLP
305 North Front Street, P.O. Box 1003
Harrisburg, PA 17108-1003
(717)237-5516

HBG\86525.1

Docket No.: H1799-00075



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lindemuth et al.

Serial No: 09/964,303 Examiner: Not yet known

Filed: 09/26/2001 Group Art Unit: Not yet known

For: HEAT PIPE SYSTEM FOR COOLING FLYWHEEL
ENERGY STORAGE SYSTEMS

CERTIFICATE UNDER 37 CFR 1.8(a)
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UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN
ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR
PATENTS, WASHINGTON, D.C. 20231.

ON December 16, 2001
Samuel W. Apicelli

SAMUEL W. APICELLI

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

VERIFIED STATEMENT UNDER 37 CFR 1.48(a)(2)

(1) I, John J. Todd, Jr, am a joint inventor with James E. Lindemuth, Brian E. Mast, Nelson J. Gernert and James L. Smith, Jr., of the subject matter claimed in the above-identified patent application.

(2) I was omitted from designation as an inventor in the above-identified patent application by innocent error and without any deceptive intent on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified application or any patent issued thereon.

Inventor's Signature: John J. Todd, Jr.

Inventor's full name: John J. Todd, Jr.

Date: 11/21/01

HBG\86425.1

Docket No.: H1799-00075